

Title and Description	SEND Retention Policy
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Date of Last Review	March 2026
Approved by	Trust Board
To be reviewed by	Trust Board
Responsibility	Director of Safeguarding
Review period	Annually
Date of next review	March 2027

Document History			
Version	Date of Review	Author	Notes on Revision
2	February 2026	Michele Osborne	P3 - AI Summary included. P4 - Changes made to reflect KCSIE legislation.

AI Summary of this Policy

The policy explains how SEND pupil data is securely stored, accessed, retained, transferred, and disposed of at Framwellgate School Durham, ensuring legal compliance, retention periods, data rights, audits, and review.

Values and Ethos

Like all good schools, we're driven by our values above all else. We define these as:

Excellence - Everyone in our community will know and experience success

The most for those that need the most - We will meet the needs of all our learners

Known and valued - Everyone here will be celebrated for who they are and what they do

Collective endeavour - We will achieve success together

Joy - Everyone will know and create joy

These five values determine all that we do, and every part of the school flows from them. They set the direction and act as a compass to ensure we continue to grow and develop as a school in the way that we feel best supports all our students.

SEND Data Retention Policy

1. Introduction

This policy outlines the procedures for storing, retaining, and securely disposing of data related to pupils with Special Educational Needs and Disabilities (SEND) at Framwellgate School Durham in compliance with:

- **UK GDPR & Data Protection Act 2018**
- **The Education (Pupil Information) (England) Regulations 2005**
- **SEND Code of Practice 2015**
- **Keeping Children Safe in Education (KCSIE) 2025**
- **Limitation Act 1980**
- **Health & Safety at Work Act 1974**

2. Scope

This policy applies to all pupil records containing SEND-related information, including:

- **Education, Health & Care Plans (EHCPs)**
- **SEND support files (IEPs, Provision Maps, specialist assessments)**
- **Safeguarding and child protection records**
- **Medical records and therapy reports**
- **Accident/incident reports related to SEND pupils**
- **CCTV footage (where applicable to SEND pupils)**

3. Retention Periods for SEND Data

Record Type	Retention Period	Reason/Legislation
General Pupil Records	Date of birth + 25 years	Limitation Act 1980 (potential legal claims)
Education, Health & Care Plans (EHCPs)	Until the pupil is 25 years old	SEND Code of Practice 2015, Limitation Act 1980
SEND Support Plans (IEPs, Provision Maps, Specialist Reports, etc.)	Date of birth + 25 years	Best practice to ensure access if legal claims arise
Safeguarding Records	Date of birth + 75 years	Keeping Children Safe in Education (KCSIE)
Exclusion Records (if related to SEND needs)	Date of birth + 25 years	Potential legal disputes
Medical Records	Date of birth + 25 years	NHS guidance & Limitation Act 1980
Accident/Incident Reports	Date of incident + 25 years	Health & Safety at Work Act 1974
CCTV Footage	30 days (unless part of an investigation)	Data Protection Act 2018

4. Secure Storage & Access

- SEND records are stored **securely** in **locked filing cabinets** or **password-protected digital systems**.
- Only authorised staff (e.g., SENCO, Designated Safeguarding Lead, Headteacher) have access.
- Digital records are encrypted and protected by **role-based access control**.
- A record of who accesses sensitive SEND data is maintained.

5. Secure Transfer of SEND Data

- When a pupil transfers to another school, **SEND records** are securely sent to the receiving school.
- A **receipt of transfer** is requested and stored for auditing purposes.
- Electronic transfers must be done via a **secure portal (e.g., S2S, encrypted email)**.

6. Disposal of SEND Records

- At the end of the retention period, physical records are **shredded** using a **cross-cut shredder**.
- Digital records are permanently **deleted** using secure erasure software.
- A **Data Disposal Log** is maintained to track destroyed records.

7. Data Subject Rights & Compliance

- Parents and pupils (if over 13) have the right to **request access** to their SEND records.
- Data breaches are reported in line with **UK GDPR requirements**.
- Regular audits ensure compliance with **data retention laws**.

8. Policy Review

This policy is reviewed **annually** by the **SENCO and Data Protection Officer** to ensure continued compliance with legislation.